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General Assembly

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Fifty-fourth session
Agenda items 9 and 57

General debate

Implementation of the resolutions of the United Nations

Letter dated 5 October 1999 from the Permanent Representative of China to the United Nations addressed to the Secretary-General

At the just concluded general debate of the fifty-fourth session of the General Assembly, a very small number of countries once again raised the so-called question of "Taiwan's participant at the United Nations". Upon the instruction of the Chinese Government, I hereby state the following position:

1. The "one China" principle is universally recognized by the international community. The vast majority of States Members of the United Nations have diplomatic relations with China. They all acknowledge, without a single exception, that there is only one China in the world, that the Government of the People's Republic of China is the sole legal Government representing the whole of China and that Taiwan is an inalienable part of China. Resolution 2758 of 25 October 1971, adopted at the twenty-sixth session of the General Assembly, decided unequivocally to restore the lawful seat of the People's Republic of China at the United Nations and, at the same time, to immediately expel the Taiwan authorities, who were claiming to represent China, "from the place which they unlawfully occupy at the United Nations and in all the organizations related to it". That resolution reaffirmed the "one China" principle and settled once and for all and in a just and comprehensive manner the question of China's representation at the United Nations. It conformed to the historical trend and reflected the spirit of the Charter of the United Nations. It is of great historical and practical significance.

2. The United Nations is an intergovernmental organization composed of sovereign States. Article 4 of the Charter clearly stipulates that membership in the United Nations is open only to sovereign States. As a province of China, Taiwan is in no position whatsoever to participate in activities of the United Nations or its specialized agencies. At the instigation of the Taiwan authorities, a handful of countries have raised the so-called question of "Taiwan's representation at the United Nations" openly at the General Assembly forum in an attempt to create "two Chinas" or "one China, one Taiwan" at the United Nations. Such an illegal act has trampled on the purposes and principles of the Charter and General Assembly resolution 2758. Constituting an encroachment on China's sovereignty and

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territorial integrity and interference in China's internal affairs, this act has backed up the divisionary activities by Taiwan authorities and undermined China's peaceful reunification. The Chinese Government and people express strong indignation at and condemnation of such act. At the same time, such an illegal act has naturally met with strong opposition from the vast number of justice-upholding States Members of the United Nations. Since 1993, the General Committee of the successive sessions of the General Assembly has flatly refused to put the so-called question of "Taiwan's participation at the United Nations" on the agenda of the General Assembly. This has fully demonstrated the strong resolve of the vast number of Member States to safeguard the purposes and principles of the Charter and General Assembly resolution 2758. We wish most sincerely to thank those countries that have upheld justice and supported China's national reunification. At the same time, we strongly believe that divisionary activities, against the historical trend, to create "two Chinas" or "one China, one Taiwan", and attempts to support these activities, are all doomed to failure.

3. The question of Taiwan is purely an internal matter of China and a matter for the Chinese people themselves that brooks no interference by any country or individual in any way, under whatever pretext. Settlement of the question of Taiwan and reunification of the motherland are the solemn and lofty missions of all Chinese, including those on Taiwan. The fundamental policy of the Chinese Government on this issue is "peaceful reunification and one country, two systems". This policy has taken into account the paramount interest of national development and the long-term interest of the entire Chinese population. It has also accommodated and helped protect the fundamental interest of Taiwan compatriots and Taiwan's need for development. Under the guidance of this policy, Hong Kong has returned to China and Macao will return to the embrace of the motherland soon. The issue of Taiwan will also be solved and it will not drag on for too long. We are confident that the just cause of the Chinese Government and people to safeguard State sovereignty and territorial integrity will continue to have the understanding and support of the Governments and people of the vast majority of States Members of the United Nations.

I have the honour to request that the present letter be circulated as a document of the fifty-fourth session of the General Assembly under items 9 and 57 of the agenda.

(*Signed*) **Qin** Huasun
Ambassador
Permanent Representative of the People's Republic of China
to the United Nations

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Fifty-fourth session
Agenda item 8
Adoption of the agenda and organization of work: reports of the General Committee

Letter dated 4 October 1999 from the Chairman of the Second Committee to the President of the General Assembly

I am writing in my capacity as Chairman of the Second Committee to propose a split allocation of item 101 (a) of the agenda of the fifty-fourth session of the General Assembly, entitled "Operational activities for development of the United Nations system". As you know, the Assembly, on the recommendation of the General Committee, allocated this item to the Second Committee, at the 3rd plenary meeting of its fifty-fourth session, on 17 September 1999.

At the 2nd meeting of the Second Committee, on 29 September, several States proposed that a topic under item 101 (a), namely, follow-up of the World Summit for Children, be considered in plenary meeting while the remaining subjects would be retained for consideration by the Second Committee. The proposal to move the topic to plenary meeting was justified on the basis that the follow-up of the World Summit for Children involved preparations for a special session of the General Assembly in 2001 and that these preparations, and the successful outcome of the special session, could be enhanced if the item was addressed in plenary meeting. Moreover, the substantive issues likely to be considered at the special session entailed subjects addressed by other Main Committees of the Assembly, in particular the Third Committee. For these reasons, the Second Committee agreed to the proposal and requested that I write to you to bring this matter to the attention of the General Committee for approval.

I would be most grateful if you could propose to the General Committee that agenda item 101 (a) be allocated both to plenary meeting and to the Second Committee on the understanding that only the topic "Follow-up of the World Summit for Children" would be considered in plenary meeting. Your cooperation in this matter is greatly appreciated.

(*Signed*) M. Roble **Olhaye**

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Fifty-fourth session
Agenda item 116 (b)
Human rights questions: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

Human rights and terrorism

Report of the Secretary-General

1. By resolution 52/133 of 12 December 1997, the General Assembly recalled previous resolutions on human rights and terrorism of the Commission on Human Rights and the Subcommission on the Promotion and Protection of Human Rights, and *inter alia*, called upon States to take all necessary and effective measures in accordance with relevant provisions of international law to prevent, combat and eliminate terrorism in all its forms and manifestations, wherever and by whomever committed.

2. By the same resolution, the Assembly requested the Secretary-General to seek the views of Member States on the implications of terrorism, in all its forms and manifestations, for the full enjoyment of all human rights and fundamental freedoms and to submit a report on the subject to the Assembly at its fifty-fourth session.

3. The present report, submitted pursuant to the above-mentioned request, indicates, in summary fashion, the content of the replies received from the Governments that responded to a note verbale dated 16 August 1999, namely, Azerbaijan, Egypt, Nepal, Turkey and Yugoslavia.

4. The Government of Azerbaijan sent information concerning terrorist activities directed against it. This information had appeared in the annex to the letter dated 9 April 1997 from the Permanent Representative of Azerbaijan to the United Nations Office at Geneva addressed to the secretariat of the Commission on Human Rights (E/CN.4/1997/138), which was circulated at the fifty-third session of the Commission on Human Rights.

5. In its reply, the Government of Egypt indicated that it considered itself a pioneer in combating terrorism, and it stressed the serious repercussions of such activities on the enjoyment of human rights and fundamental freedoms, including the right to democracy. The Government condemned every act of terrorist violence and supported the consolidation of cooperation at the international, regional and national levels. For example, the Government had recently called for the convening of an international summit under the auspices of the United Nations to develop precise plans of action on terrorism and to elaborate an international instrument to eradicate terrorism. In that regard, it was noted that, on 8 December 1998, the General Assembly had adopted resolution 53/108, in which it bore in mind that the Twelfth Conference of Heads of State or Government of Non-Aligned Countries, held at Durban, South Africa, from 29 August to 3 September 1998, had reaffirmed its collective position on terrorism and as a recent initiative had called for an international summit conference under the auspices of the United Nations to formulate a joint organized response of the international community to terrorism in all its forms and manifestations. The Government of Egypt further emphasized that among the basic elements of terrorism must

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be counted the threat it poses to the right to life and to the right to development, which took the form of attacks against the tourist industry. Moreover, terrorism might be used to incite people to act against the existing social order, threatening not only the direct victims but society as a whole. In that connection, every Government had the right to take all necessary measures against terrorism in conformity with international law; for example, they must refrain from offering asylum to terrorist elements in conformity with the obligations to that effect contained in the 1951 Convention relating to the Status of Refugees. The Government wished to distinguish terrorism from armed struggle against colonial or other alien domination to exercise the legitimate right of self-determination. On the other hand, religion could not be used as a justification for terrorism. The Government of Egypt emphasized that it supported international mechanisms on terrorism and had taken part in the adoption of resolutions and decisions at many levels pertaining to terrorism. Finally, it welcomed the initiative by the Secretary-General to establish a unit within the United Nations Centre for International Crime Prevention at Vienna to deal with the international problem of terrorism, and expressed the belief that such a unit could play an effective role in combating terrorism, urging States to ratify the existing conventions and ensuring better coordination of international efforts to combat terrorism.

6. In its reply, the Government of Nepal emphasized its legal and institutional commitment to the promotion and protection of human rights in the country, and indicated that it had signed, acceded to or ratified 16 major international human rights instruments. The Government also drew attention to the technical cooperation project concluded with the Office of the High Commissioner for Human Rights in October 1996, a number of elements of which had been completed. It emphasized its view that there existed a strong nexus between human rights and terrorism and its opposition to terrorism in all its forms and manifestations, in particular as a threat to the social fabric of the country. Finally, the Government of Nepal recalled that it was a party to the South Asian Association for Regional Cooperation Convention on the Suppression of Terrorism and that it was in the process of signing the International Convention for the Suppression of Terrorist Bombings.

7. The Government of Turkey observed in its reply that no nation was immune to the increased threat of international terrorism because of the confluence of new political circumstances and modern technological advances. It was therefore incumbent upon all States to prevent, combat and eliminate terrorism in all its forms and manifestations, wherever and by whomever committed. The Government also considered that terrorism constituted a flagrant violation of human rights and that non-State actors also had a secondary responsibility for the protection and promotion of human rights. Thus, in view of the threat terrorism posed to such human rights as the right to life, the right to live free from fear, and the right to liberty and to security, it could not be viewed only as a criminal matter. Finally, the Government of Turkey recalled the obligation of all States not to provide a safe haven for terrorists and emphasized the need to ensure that terrorists do not escape justice.

8. The Government of the Federal Republic of Yugoslavia forwarded three publications on terrorism.

9. The Government of Pakistan emphasized the tendency on the part of some States to discredit national liberation movements as terrorist organizations. On the other hand, certain terrorist groups sometimes sought legitimacy by portraying themselves as freedom fighters. The Government emphasized the link between human rights and terrorism in fact and law, as well as the threat terrorism posed for democratic society. The Government of Pakistan concluded by once again stressing the distinction between terrorism and struggles for self-determination and expressing the view that the study of terrorism and its impact on human rights should place equal emphasis on State-sponsored terrorism.

10. The full text of the replies received are available for consultation in the Secretariat.